HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO: 23001 of 2007

Dated: 01-11-2007

Between:

V.Abdul Rasheed

..... PETIT

AND

The District Collector,
Chittoor District,
Chittoor and 3 others.

.....RESPONI

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 23001 of 2007

O R D E R:

This writ petition is filed for a writ of Mandamus to declare the action of the respondents in considering the application of respondent No.4 for payment of compensation in respect of Acs.2.90 cents of land in Sy.No.105/2 of Rallakuppam village, Satyaveedu Mandal, Chittoor District as illegal.

The petitioner claims to have been granted assignment in respect of Ac.1.50 cents of land in Sy.No. 107/1 of Satyaveedu Mandal, Chittoor District. He claims that he was also in possession of an extent of Ac.2.90 cents of land and that assignment committee, who visited the village where the lands are situated, recommended to grant assignment in favour of the petitioner's wife, but however, by the time the assignment was made, the said land along with larger extent of about 16,000 acres was acquired for establishment of Special Economic Zone. On

04-10-2007, a notice was issued by respondent No.2 to the petitioner and respondent No.4 calling upon them to produce the records showing their respective rights over the lands in dispute on 08-10-2007 at 11.00 a.m. The petitioner in his affidavit stated that he appeared before respondent No.2 and submitted the evidence available with him showing his rights over the land and that the enquiry is still pending. The petitioner apprehended that without deciding the issue as to the person who is entitled to receive the compensation amount, respondent No.2 is likely to pay the compensation to respondent No.4.

Heard Sri K.Venugopal Reddy, learned counsel for the petitioner and the learned Assistant Government Pleader for Land Acquisition.

The learned Assistant Government Pleader, on instructions, stated that after the completion of enquiry, respondent No.2 rejected the claim of the petitioner, though the order of rejection was not communicated to the petitioner.

In view of the submission of the learned Assistant Government, the writ petition is disposed of in the following terms:

(1) Respondent No.2 shall communicate the decision taken in pursuance of the enquiry held in connection with the notice dated 04-10-2007 within a period of two weeks to the petitioner.

(2) The petitioner is given liberty to question the said order of rejection by filing appropriate legal remedy.

No costs.

C.V.NAGARJUNA REDDY,J

Date: 01-11-2007

Note : Issue C.C. by tomorrow.

B/o

KLP